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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 TUAN VAN LE, ALEX
12 CHAPACKDEE, SAMATH
13 KHANHPHONGPHANE, AND
14 PHI NGUYEN,

15 Defendants.

CR17-136-TSZ

ORDER

16 THIS MATTER having come before the Court on the stipulated motion of the
17 parties for a continuance of the trial and the pretrial motions due date, docket no. 62, and
18 the Court having considered the facts set forth in the motion, the speedy trial waivers
19 executed by defendants, the arguments of counsel at the hearing on June 29, 2017, and
20 the records and files herein, the Court enters the following order:

21 1. A failure to grant the continuance would deny defense counsel the
22 reasonable time necessary for effective preparation, taking into account the exercise of
23 due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the

1 failure to grant a continuance in the proceeding would be likely to result in a miscarriage
2 of justice, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).

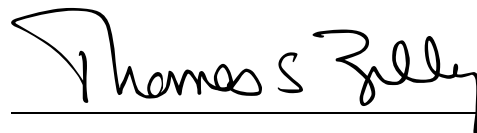
3 2. The ends of justice will be served by ordering a continuance in this case, as
4 a continuance is necessary to ensure adequate time for the defense to effectively prepare
5 for trial. All of these factors outweigh the best interests of the public and defendants in a
6 more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).

7 For the foregoing reasons, the stipulated motion to continue trial and the pretrial
8 motions due date, docket no. 62, is GRANTED. The trial date shall be continued from
9 July 24, 2017, to February 12, 2018. Pretrial motions are to be filed no later than
10 December 1, 2017, with a noting date of December 15, 2017. Responses shall be due no
11 later than December 8, 2017, and replies, if any, shall be due by December 15, 2017.

12 IT IS FURTHER ORDERED that the resulting period of delay from the date of
13 this Order until the new trial date is hereby excluded for speedy trial purposes under
14 18 U.S.C. § 3161(h)(7)(A) and (B).

15 IT IS SO ORDERED.

16 Dated this 29th day of June, 2017.

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19 Thomas S. Zilly
20 United States District Judge
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